

MESSAGE NO: 6306201 MESSAGE DATE: 11/02/2006

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-886

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/26/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR THE ANTIDUMPING SCOPE RULING ON  
POLYETHYLENE RETAIL CARRIER BAGS FROM CHINA BY CONSOLIDATED PACKAGING,  
LLC (A-570-886)

MESSAGE NO: 6306201

DATE: 11 02 2006

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 886

- -

- -

- -

- -

- -

PERIOD COVERED: 01 26 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR THE ANTIDUMPING SCOPE  
RULING ON POLYETHYLENE RETAIL CARRIER BAGS FROM CHINA  
BY CONSOLIDATED PACKAGING, LLC (A-570-886)

1. ON 10/02/2006, IN RESPONSE TO A REQUEST BY CONSOLIDATED  
PACKAGING, LLC (CONSOLIDATED), THE DEPARTMENT OF COMMERCE ISSUED  
A FINAL SCOPE RULING THAT CERTAIN PLASTIC BAGS WHICH CONSOLIDATED  
IMPORTS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON  
POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF  
CHINA (A-570-886). THE COMMERCE DEPARTMENT'S DETERMINATION  
APPLIES TO THE FOLLOWING MODELS: 14x18x6IRA (14"x18"x6" Cotton

Draw String); 16x16x3BLGR (16"x16"x3" Plastic Draw Tape); 16x16x3

(of all colors) (16"x16"x3" Plastic Draw Tape); 17806 (14"x17"x3" Cotton Draw String); 2120 ANTOX (21"x20"x5" Plastic Draw Tape); 3058 (20"x26" Cotton Draw String ); 485MLED CH (12.5"x16"x4" Plastic Draw Tape); 721261 (14"x16" Cotton Draw String); 99-828-0 (13"x16"x4" Cotton Draw String); 99-829-0 (21"x21"x5" Cotton Draw String); 99-834-2 (20"x25" Cotton Draw String); 99-835-0 (20"x26" Cotton Draw String); 99-850-0 (20"x26" Cotton Draw String); 99-850-HOS (20"x26" Cotton Draw String); 9x12YELLOW (9"x12" Plastic Draw Tape); BLUE BAG (20"x26" Cotton Draw String); CB-14 (16"x15"x3" Cotton Draw String); CB-14URO (16"x15"x3" Cotton Draw String); DLO-DRAWBAG (14"x16" Cotton Draw String); DLOBC1212 (12"x12" Cotton Draw String); DLOEC79 (7"x10" Cotton Draw String); GREENBAG (20"x26" Cotton Draw String); QD-16YEL-QHOA (20"x26" Cotton Draw String).

2. IN ACCORDANCE WITH 19 CFR 351.225(k)(2), BASED ON A REVIEW OF THE RECORD, THE COMMERCE DEPARTMENT DETERMINED THAT THE EXPECTATIONS OF THE ULTIMATE PURCHASER, THE ULTIMATE USE, THE CHANNELS OF TRADE, AND THE MANNER IN WHICH THE PLASTIC BAGS ARE ADVERTISED ARE NOT THE SAME AS MERCHANDISE COVERED BY THE SCOPE OF THE ORDER. THEREFORE, THE PLASTIC BAG MODELS IDENTIFIED ABOVE AND IMPORTED BY CONSOLIDATED ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 10/02/2006, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 01/26/2004 OF THE PLASTIC BAGS LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE PLASTIC BAGS LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED

ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER WHICH IS 08/09/2004. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5:JK).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party